Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Message Text

CONFIDENTIAL

PAGE 01 STATE 036354
ORIGIN EA-12

INFO OCT-01 ISO-00 ONY-00 /013 R

DRAFTED BY EA/PHL:JSARTORIUS:EBS
APPROVED BY EA/PHL:BAFLECK
DESIRED DISTRIBUTION
EA ONLY
----------118677 110329Z /15
P 102312Z PEB 78
FM SECSTATE WASHDC
TO AMEMBASSY MANILA PRIORITY

C O N F I D E N T I A L STATE 036354

E.O. 11652: GDS

TAGS: ENGR, RP, US

SUBJECT: WESTINGHOUSE NUCLEAR POWER PROJECT
--
REFS: A) MANILA 861, B) MANILA 923, C) STATE 20574

1. WOULD APPRECIATE EMBASSY UPDATE ON STATUS OF MARCOS-ORDERED "FORMAL HEARING" INTO WESTINGHOUSE CONTRACT TO DETERMINE BASIS, IF ANY, FOR PRESS ALLEGATIONS OF IMPROPRIETY (REFS. A AND B). IN PARTICULAR, WE ARE INTERESTED IN INDICATION AS TO WHEN HEARING IS LIKELY TO BE COMPLETED AND, AS WE ARE ASSUMING, COPY OF REPORT MIGHT BE OBTAINED BY EMBASSY.

2. AS NOTED IN REF. C, PARA. 5, DEPT. (OES) IS INTERESTED IN OUTCOME OF HEARING AS PART OF ITS REVIEW OF THE PHILIPPINE NUCLEAR POWER PLANT SITUATION AND AS A POSSIBLE ELEMENT IN ITS RESPONSE TO NRC STAFF REQUEST FOR FURTHER INFORMATION, PREPARATORY TO THE STAFF MAKING ITS RECOMMENDATIONS TO NRC COMMISSIONERS CONCERNING THE ISSUANCE OF
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 036354

REACTOR EXPORT LICENSE.

3. IN MEANTIME, JUSTICE, PURSUANT TO ITS INVESTIGATION OF THE WESTINGHOUSE CONTRACT, HAS INFORMALLY INDICATED A POSSIBLE INTEREST IN NEGOTIATING A "SHARING OF INFORMATION

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

AGREEMENT" WITH ITS GOP COUNTERPART (PRESUMABLY PHILIP-
PINE DEPT. OF JUSTICE). UNDER SUCH AGREEMENT, IT WOULD
GIVE GOP (SELECTED) INFORMATION IN RETURN FOR GOP MAKING
AVAILABLE WHATEVER IT MAY HAVE OR CAN DEVELOP ON
WESTINGHOUE CASE. THERE ARE NUMBER OF PRECEDENTS FOR
THIS TYPE OF AGREEMENT (MOST RECENT AND PROMINENT BEING
THAT WITH ROK IN TONGSUN PARK CASE) WHICH JUSTICE
NEGOTIATES DIRECTLY AFTER CONSULTING WITH, AND RECEIVING
CONCURRENCE FROM STATE.

4. EA/PHL HAS POINTED OUT TO JUSTICE THAT GOP HAS AL-
READY INSTITUTED A HEARING INTO WESTINGHOUSE CONTRACT;
THAT WE EXPECT EMBASSY WILL RECEIVE COPY OF HEARING
REPORT, WHICH CAN BE PROVIDED TO JUSTICE; AND THAT WE
VERY SERIOUSLY DOUBT GOP INTENDS OR WOULD FEEL IT NECES-
SARY TO GO BEYOND THIS INQUIRY. THUS, AS PRACTICAL MAT-
TER, TIME AND EFFORT EXPENDED IN SEEKING AND NEGOTIATING
FORMAL INFORMATION SHARING AGREEMENT WOULD NOT BE PRO-
DUCTIVE, SINCE EXTENT OF WHAT GOP COULD BE EXPECTED TO
PROVIDE CAN BE OBTAINED BY JUSTICE IN ANY EVENT. MORE-
OVER, WE HAVE OBSERVED THAT JUSTICE PURSUANCE OF FORMAL
AGREEMENT WOULD NEEDLESSLY EXACERBATE PHILIPPINE SENSI-
TIVITIES AND COULD WELL BE VIEWED AS UNWARRANTED USG
INTRUSION INTO MATTER WHICH GOP HAD ALREADY INVESTIGATED.

5. EMBASSY COMMENTS AND VIEWS ON FOREGOING, AS WELL AS
CONFIRMATION THAT GOP HEARING REPORT WILL BE MADE
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 036354

AVAILABLE TO EMBASSY, ARE REQUESTED

6. PLEASE NOTE FOR EA ONLY CAPTION. VANCE

CONFIDENTIAL

NNN

*** Current Handling Restrictions *** ONLY
*** Current Classification *** CONFIDENTIAL

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NUCLEAR ENERGY, PROGRAMS (PROJECTS)
Control Number: n/a
Copy: SINGLE
Draft Date: 10 feb 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE036354
Document Source: CORE
Document Unique ID: 00
Drafter: JSARTORIUS:EBS
Enclosure: n/a
Executive Order: GS
Errors: n/a
Expiration:
Film Number: D780063-0760
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197802115/aaaafqvy.tel
Line Count: 102
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON MICROFILM, TEXT ON-LINE
Message ID: 50c421cf-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: ONLY
Reference: 78 MANILA 861, 78 MANILA 923, 78 STATE 20574
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 04 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3463971
Secure: OPEN
Status: <DBA CORRECTED> gwr 970828
Subject: WESTINGHOUSE NUCLEAR POWER PROJECT --
TAGS: ENRG, TECH, RP, US, TECH
To: MANILA
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/50c421cf-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014